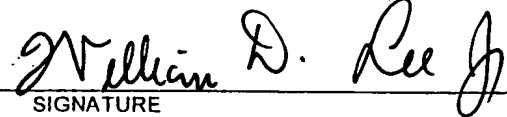


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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER Neubauer 032594.050 U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/525128</div>
INTERNATIONAL APPLICATION NO. PCT/EP2003/09041	INTERNATIONAL FILING DATE 14 August 2003	PRIORITY DATE CLAIMED 19 August 2002
TITLE OF INVENTION Device to Control the Flow of Gas		
APPLICANT(S) FOR DO/EO/US Max Rist		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.		
2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.		
3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input checked="" type="checkbox"/> The US has been elected (Article 31).		
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <div style="margin-left: 20px;"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </div>		
6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <div style="margin-left: 20px;"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </div>		
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <div style="margin-left: 20px;"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </div>		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input checked="" type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input checked="" type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		
20. <input checked="" type="checkbox"/> Other items or information:		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/525128		PCT/EP2003/09041		Neubauer 032594.050	
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee.....				\$ 300	
22. <input checked="" type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....				\$ 200	
All other situations.....				\$200	
23. <input checked="" type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....				\$100	
International Search Report prepared and provided to the Office.....				\$400	
All other situations.....				\$500	
TOTAL OF 21, 22 and 23 =				\$1,000	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$ 50	\$	
Independent claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$1,000	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				500	
SUBTOTAL =				\$ 500	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 500	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 500	
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>502079</u> in the amount of \$ <u>500</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>502079</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO: McNair Law Firm, P.A. P.O. Box 10827 Greenville, SC 29603-0827</p>			<p style="text-align: center;"> SIGNATURE</p> <p style="text-align: center;">William D. Lee, Jr. NAME</p> <p style="text-align: center;">22,660 REGISTRATION NUMBER</p>		

10/525128

Div Rec'd PCT/PTO

18 FEB 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Max Rist	Examiner:
Serial No.: Claiming priority of PCT/EP 2003/09041 filed August 14, 2003 and German Application No. 102 38 683.8 filed August 19, 2002	Group Art Unit:
Filed:	
For: Device to Control the Flow of Gas	Docket No.: Neubauer 032594.050

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

TRANSMITTAL LETTER

Please find the following correspondence items enclosed for filing in the United States Patent and Trademark Office:

1. Form PTO-1390 - Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 in duplicate (Applicant claims small entity status);
2. English language translation of the International Application as filed;
3. Copy of PCT publication WO 2004/018026 A1 Published International Application, together with the International Search Report in English and German;
4. International Preliminary Examination Report in German, together with amended claim;
5. Substitute specification, including claims and abstract (6 pages)
6. Four sheets of Substitute Drawings;
7. Declaration and Power of Attorney (unsigned);
8. Information Disclosure Statement, Form SB/08A, together with copies of foreign cases cited; and
9. Return receipt postcard.

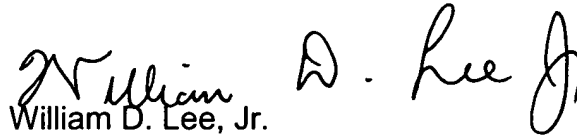
Applicant respectfully requests that Examination be based on the Substitute Specification and claims which accompany it and on the Substitute Drawings.

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Commissioner for Patents
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Please charge the total fees of \$500 (small entity) which covers the basic national fee of \$150, the examination fee of \$100 and the search fee of \$250 to Deposit Account No. 502079. A copy of this letter is enclosed.


Respectfully submitted,



William D. Lee, Jr.
Registration No. 22,660
McNAIR LAW FIRM, P.A.
P.O. Box 10827
Greenville, SC 29603-0827
Telephone: (864) 232-4261
Attorney for Applicant

EV622716902US

I hereby certify that this correspondence is being deposited with the United States Postal Service as "EXPRESS MAIL" mailing label no. EV 622716902 US with sufficient postage and mailing label affixed thereto, in an envelope addressed to: Box Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

By: 
Date: 2-18-05